

From: Mark H. Bickford
To: Microsoft ATR
Date: 1/25/02 11:04pm
Subject: Microsoft Settlement

Dear Ms. Hesse and associates,

I would like to object to the Proposed Final Judgment in the case of United States vs. Microsoft, for the following reasons:

1. The Settlement as proposed only protects the interests of the 20 largest OEMs, and does nothing for small-business PC manufacturers who may wish to make alternative operating systems available to their customers, or provide a link to a local ISP;
2. The Settlement only protects large OEMs who wish to install multiple operating systems on one machine alongside Windows; it does not say that Microsoft cannot retaliate against an OEM who wishes to sell a PC with only an alternative operating system installed. This would have the effect of continuing to force OEMs to install a copy of Windows with every PC they ship.
3. Similar to item 1 above, the Settlement only protects OEMs who wish to install Middleware which already ships at least 1 million copies / year. It does not protect those who wish to install programs which are too new to have that size an installed base, or which may compete with Microsoft products in their intended usage but do not meet the definition of "Middleware" because they do not currently expose APIs (for instance, a simple Email client).

In closing, I feel that Microsoft has repeatedly abused their operating system monopoly by using it to create new monopolies (both the current "Middleware" issue and the current state of the office suite category come to mind), and that a judgment that is both more restrictive of Microsoft and more considerate of the needs of small business is called for.

Best regards,
Mark H. Bickford
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